

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	SMITH ET AL.	Examiner:	OGDEN JR, NECHOLUS
Serial No.:	10/825,389	Group Art Unit:	1796
Filed:	APRIL 15, 2004	Docket No.:	1804US01
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Title:	FOAMING SOAP, AND METHODS		

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**ELECTRONICALLY FILED ON NOVEMBER 13, 2008****APPEAL BRIEF**

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This is an appeal from the Final Rejection mailed May 19, 2008 in which claims 1 and 3-9 were rejected. The Notice of Appeal was filed on August 14, 2008.

The \$540 large entity fee under 37 C.F.R. §41.20(b)(2) for filing a brief in support of an appeal has been charged to a credit card. Any underpayment should also be charged (and any overpayment should be credited) to Deposit Account No. 501257.

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**REAL PARTY IN INTEREST**

The real party in interest is Ecolab Inc., by virtue of an assignment recorded at 015224/0228. Ecolab is a Delaware corporation headquartered in St. Paul, Minnesota. Further information regarding Ecolab Inc. is available at <http://www.ecolab.com>.

**RELATED APPEALS AND INTERFERENCES**

There are no other prior and pending appeals, interferences or judicial proceedings known to Appellants, the Appellants' legal representative, or assignee Ecolab Inc. which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**STATUS OF CLAIMS**

Fifteen claims were filed with the application. Claims 11-15 were withdrawn from consideration (see Reply to Restriction Requirement of June 26, 2006 withdrawing claims 11-15). Two claims were later cancelled (see Amendment of November 17, 2006 cancelling claims 2 and 10). Claims 1 and 3-9 were pending when this appeal was filed.

No claims are allowed. Claims 1 and 3-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gross et al. (U.S. Pat. No. 5,990,074) in view of Uehira et al. (U.S. Pat. No. 5,271,530). This rejection is being appealed. A clean copy of the appealed claims 1 and 3-9 is reproduced in the Claims Appendix.

**STATUS OF AMENDMENTS**

The Final Rejection was mailed May 19, 2008. In it, claims 1 and 3-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gross et al. (U.S. Pat. No. 5,990,074) in view of Uehira et al. (U.S. Pat. No. 5,271,530). No amendments were made after the Final Rejection of May 19, 2008. All of the amendments made by Appellant have been incorporated into the claims and are included in the claims as listed in the Claims Appendix.

**SUMMARY OF CLAIMED SUBJECT MATTER**

Appellants' invention is directed to a soap product consisting of a non-propellant dispenser and a liquid soap that is capable of being foamed without the use of a propellant or foam boosters. The soap product does not include deliberately added ingredients for the moisturization, sanitation or health of the skin. Nor does the soap product contain foam boosters, e.g., surfactants, to facilitate dispensing of the soap as a foam through the foamer head.

Independent claim 1 is directed to a soap product consisting of a non-propellant dispenser comprising a liquid retaining container and a foam dispenser head. *See e.g.*, page 4, lines 14-18 and page 6, line 27 to page 7, line 7 (discussing a non-propellant dispenser). Liquid soap is present in the container. *See e.g.*, page 5, lines 1-4 (discussing the liquid soap present in the container). The foam dispenser is fluidly connected to the liquid soap. *See e.g.*, page 6, lines 20-25. The liquid soap composition present in the container consists of an alkali salt of a C<sub>6</sub> to C<sub>24</sub> fatty acid, and optionally, an additional ingredient. *See e.g.*, page 5, lines 5-15 (discussing the alkali salt of a C<sub>6</sub> to C<sub>24</sub> fatty acid), and page 5, lines 21-26 (discussing the addition of optional ingredients). The additional ingredient is selected from the group consisting of water, antioxidants, water softening agents, preservatives, solubilizers, color, fragrances, pH modifiers and mixtures thereof. *See e.g.*, page 5, lines 21-26. The liquid soap has a viscosity of less than 100 cps. *See e.g.*, page 6, lines 18-19.

The soap product's alkali salts are selected from the group consisting of sodium, potassium, magnesium, and mixtures thereof. *See e.g.*, page 5, lines 9-11. The soap product comprises a mixture of concentrated soap and water. *See e.g.*, page 6, lines 4-9. The soap product comprises 1:1 to 1:10 concentrated soap:water. *See e.g.*, page 6, lines 10-15. The concentrated soap product comprises at least 50 wt-% alkali salts. *See e.g.*, page 5, lines 9-10.

The concentrated soap product comprises at least 75 wt-% alkali salts. *See e.g.*, page 5, lines 13-14. The concentrated soap product comprises at least 10 wt-% solids. *See e.g.*, page 6, lines 10-11. The concentrated soap product comprises at least 20 wt-% solids. *See e.g.*, page 6, lines 10-11.



**GROUND'S OF REJECTION TO BE REVIEWED ON APPEAL**

The grounds of rejection to be reviewed on appeal include the following:

**I. Whether claims 1 and 3-9 are unpatentable under 35 U.S.C. § 103(a) over Gross et al. (U.S. Pat. No. 5,990,074) in view of Uehira et al. (U.S. Pat. No. 5,271,530) (hereinafter “Gross” and “Uehira”).**

The May 19, 2008 Final Rejection (hereinafter “Final Rejection”) asserts that Gross discloses “a process of making a liquid fatty acid soap that comprises saponifying fatty acids with sodium hydroxide and water to produce a 60/40 tallow/coco fatty acid ratio.” See Final Rejection, page 2. The Final rejection relies on Uehira as teaching a “foam pump for dispensing liquids such as soaps.” See Final Rejection, page 2. The Final Rejection states that:

*[i]t would have been obvious to one of ordinary skill in the art to combine the liquid soap product of Gross et al. and the dispenser of Uehira et al. to pump and foam said liquid soap onto the users skin, because the artisan of ordinary skill would have been motivated to include a mechanism to dispense said liquid soap onto the users skin to effectively deliver the product. See Final Rejection, page 2.*

With respect to the alkali salts and the solids contents, the Final Rejection states that:

*...these limitation [sic] would have been obvious to the soap components of Gross since they contain that fatty acid material and the alkali salt as claimed. Therefore, in the absence of a showing to the contrary one of ordinary skill would expect the soap materials of Gross to encompass the salt and solids content as claimed. Moreover, since the pump dispenser of Uehira et al forms soap formulations into foam, it would have been obvious to the skilled artisan that said formulations would have low viscosity less than 100 cps in the absence of a showing to the contrary. See Final Rejection, pages 2-3.*

**ARGUMENT****I. REJECTION OF CLAIMS 1 AND 3-9 UNDER 35 U.S.C. §103(a):****ARGUMENTS CONCERNING CLAIMS 1 AND 3-9****A. The Final Rejection failed to demonstrate a *prima facie* case of obviousness.**

Claims 1 and 3-9 have been rejected under 35 U.S.C. §103(a) as being obvious over Gross in view of Uehira. The Final Rejection states that Gross discloses a process of making a liquid fatty acid soap. The Final Rejection relies on Uehira for disclosing a foam pump for dispensing liquids such as soaps. The Final Rejection states that it would have been obvious to combine the soap of Gross with the dispenser of Uehira because “the artisan of ordinary skill would have been motivated to include a mechanism to dispense said liquid soap onto the users skin to effectively deliver the product.”

For the reasons set forth below, it is the Appellants' position that the Final Rejection has failed to establish a *prima facie* case of obviousness. First, Appellants respectfully submit that the Final Rejection has misconstrued what the references teach, and as such, the references alone, or in combination, do not teach or suggest all of the claimed features. Appellants also submit that one of ordinary skill in the art would not have been motivated to combine the teachings of the cited art to arrive at the claimed invention. Appellants further submit that one of skill in the art would not have had a reasonable expectation of success in attempting to combine the prior art references to arrive at the claimed invention. Finally, Appellants submit that no other rationale for arriving at the claimed invention, as outlined by the court in *KSR Int'l Co. v. Teleflex Inc.* (127 S. Ct. 1727, 82 U.S.P.Q.2d 1385 (2007)) (“KSR”), applies to the instant claims.

*i. The Final Rejection has misconstrued what the cited references teach, and the references alone, or in combination, fail to teach or suggest all of the features of the claimed invention.*

Appellants respectfully submit that the Final Rejection has misconstrued what the cited references teach, and the cited references alone, or in combination, fail to teach or suggest all of the claimed features of claims 1, and 3-9. Gross is directed to a process for producing soap from a mixed feedstock of at least one triglyceride and at least one free fatty acid. *See* Gross, abstract. The quantity of triglyceride present is such that “the glycerin produced from its saponification with strong alkali does not exceed about 6 wt.% of the finished soap product.” *See* Gross, col. 1, lines 50-57. This level of glycerin in the final product produced by the method of Gross is important because “of various handling problems as well as undesired plasticity...A 6 wt.% glycerin content will generally bring about a relatively translucent and plastic bar.” *See* Gross, col. 3, lines 60-67. Gross further states that “[a]ll of the specific examples relate to preparation of a solid soap product, the preferred bar,” but that the process is applicable to liquid soap products as well. *See* Gross, col. 6, lines 37-40. As Gross is primarily directed to the preferred solid soap product, a bar, it is silent with respect to how a liquid soap would be dispensed.

The Final Rejection states that Gross “discloses a process of making a *liquid* fatty acid soap.” *See* Final Rejection, Page 2 (emphasis added). Appellants respectfully disagree. Gross is directed to a cost savings process for producing soap. Although Gross states that the process is applicable to liquid soaps, it is silent with respect to how to alter the process to produce a liquid soap. At numerous points throughout the disclosure, Gross discusses various reaction conditions needed to produce the desired bar of soap. *See* Gross, col. 2, lines 30-36 (discussing the amount of salt need to “provide finished products traits particularly in bar form...”); col. 3, lines 60-67

(discussing the amount of glycerine content in the final product that will “bring about a relatively translucent and plastic bar.”); col. 4, lines 10-16 (discussing the quantity of triglyceride needed to achieve the desired final product preferably a “shaped solid product such as a hand-held bar...”). There is no discussion in Gross as to how the disclosed process would need to be altered to prepare a liquid soap.

Further, neither of the cited references discloses a soap consisting of an alkali salt of a C<sub>6</sub> to C<sub>24</sub> fatty acid and an optional ingredient having a viscosity of less than 100 centipose (“cps”). As discussed above, Gross is silent with respect to the characteristics a liquid soap produced by the disclosed methods would have. Thus, Gross does not disclose the viscosity that a liquid soap would have. Further, Gross does not disclose how a liquid soap would be dispensed. As is discussed in the instant specification, the viscosity of liquid hand soaps vary. *See* Page 4, lines 1-25. Thus, Appellants submit that Gross does not teach or suggest a liquid soap as is presently claimed with a viscosity less than 100 cps.

Nor does Uehira disclose a soap as presently claimed with a viscosity of less than 100 cps. Although Uehira states that a foamable liquid for use with the disclosed dispenser can include hand soap, it does not disclose what the viscosity of the hand soap should be. The Final Rejection states that “since the pump dispenser of Uehira et al forms soap formulations into foam, it would have been obvious to the skilled artisan that said formulations pumped would have low viscosity less than 100 cps in the absence of a showing to the contrary.” *See* Final Rejection, page 3. Appellants respectfully disagree.

With respect to the foamable liquid for use with the disclosed pump, Uehira states that “a surfactant or the like is added to impart foaming properties when mixed with air.” *See* Uehira, col. 4, lines 50-55. These hand soaps with foam enhancing additives are not the same as the

claimed invention. That is, the liquid soap of the presently claimed invention *consists of* an alkali salt of a fatty acid and an optional ingredient. *See* Page 5, lines 20-25. The optional ingredients included in the claimed soaps do not include additives such as synthetic anionic and amphoteric surfactants to enhance the foam. Thus, the liquid soaps as presently claimed are different than the foamable liquids disclosed by Uehira which require surfactants to impart foaming properties. *See* Page 5, lines 20-25. Thus, it is not obvious that the foamable liquids of Uehira would have the presently claimed viscosity.

Appellants are not aware of any teaching in the prior art, or in the art generally, of a soap as is presently claimed, that is dispensed through a foam dispenser head without the use of added foam enhancing agents. Nor has the Final Rejection pointed to any such teaching. Thus, Appellants submit that neither Uehira nor Gross teaches a foamable soap with a viscosity less than 100 cps that does not include surfactants or foam enhancing agents.

With respect to claims 4 and 5 of the instant invention, Appellants respectfully submit that Gross fails to disclose that the liquid soap is a mixture of soap and water (claim 4), or what ratio of soap to water is present in such a mixture (claim 5). As Gross is silent as to the characteristics a liquid soap produced according to the disclosed methods would have, it also fails to disclose any possible mixtures of a liquid soap and water. The Final Rejection does not state why these claimed features are obvious.

With respect to claims 6 through 9, the Final Rejection states that the features claimed, i.e., the amount of alkali salts and solids present in the liquid soap/water mixture, “would have been obvious to the soap components of Gross since they contain that fatty acid material and the alkali salt as claimed.” *See* Final Rejection, pages 2-3. Appellants respectfully disagree. Claims 6 through 9 of the present invention call out specific amounts of alkali salts and solids present

when the soap is a mixture of soap and water. Again, as Gross is silent with respect to a liquid soap that is a mixture of soap and water, it is also silent with respect to these claimed features. Thus, to state that the claimed amounts of these components would have been obvious to the soap products of Gross based solely on the fact that the same components are present in both Gross and the soap product of the instant invention is incorrect.

*ii. The Final Rejection has failed to show a suggestion or motivation, either in the references themselves, or in the knowledge generally available to one of ordinary skill in the art to combine the teachings of Gross with Uehira*

The Final Rejection based the §103(a) rejection on the combination of Gross with Uehira. The Final Rejection states that:

*[i]t would have been obvious to one of ordinary skill in the art to combine the liquid soap product of Gross et al and the dispenser of Uehira et al to pump and foam said liquid soap onto the users skin, because the artisan of ordinary skill would have been motivated to include a mechanism to dispense said liquid soap onto the users skin to effectively deliver the product. Final Rejection, Page 2.*

As discussed above, Gross is directed primarily to methods for producing a solid bar soap using a cost-effective method. *See* Gross, col. 1, lines 5-35. Although Gross states that the process can be applicable to liquid soap products, all of the specific examples in Gross relate to the preparation of a solid soap product. *See* Gross, col. 6, lines 35-40. Gross is silent with respect to the characteristics a liquid soap product produced by the disclosed method may have. Uehira is directed to a foam dispensing pump for use in foaming a liquid “to which a surfactant or the like is added to impart foaming properties when mixed with air.” *See* Uehira, col. 4, lines 50-55.

Appellants respectfully submit that there would be no motivation to combine the soap product of Gross with the dispenser of Uehira. Foamable liquids for use with the dispenser of Uehira have surfactants or the like added to them to impart foaming properties to the liquids. *See* Uehira, col. 4, lines 50-55. Gross is silent with respect to the characteristics, e.g., viscosity, a liquid soap produced by the disclosed process would have. Nor does Gross disclose the use of surfactants.

The Final Rejection states that the reason for combining Gross with Uehira is because “the artisan of ordinary skill would have been motivated to include a mechanism to dispense said liquid soap onto the users skin to effectively deliver the product.” Appellants respectfully disagree. There is no teaching, suggestion or motivation in the cited references, or the art generally, to dispense the soap of Gross as a *foam*. As Gross is directed primarily to solid soap products, the characteristics of a liquid soap produced by the process of Gross are unknown. As is discussed in the instant specification, not all liquid soaps are meant to be foamed. For example, many handsoaps have viscosities that are not conducive to being foamed, and are therefore dispensed as thickened handsoaps. Thus, it is not obvious that one of skill in the art would need to dispense the soap of Gross through a foam dispenser in order to effectively deliver the soap. Nor is there any teaching that the liquid soap products disclosed in Gross would be capable of being foamed, with or without the addition of a surfactant or foam enhancing agent.

*iii. The combination of Gross et al. and Uehira et al. does not suggest Appellants' invention with a reasonable expectation of success.*

The prior art can be modified or combined to reject claims as *prima facie* obvious as long as there is a reasonable expectation of success. MPEP §2143.02. Whether the proposed

modification or combination has a reasonable expectation of success is determined at the time the invention was made. *Ex parte Erlich*, 3 USPQ2d (Bd. Pat. App. & Inter. 1986). Appellants respectfully submit that, at the time the invention was made, there was no reasonable expectation of success to combine the soap product of Gross with the dispenser of Uehira.

As discussed above, Gross is directed to a process for producing a soap product, preferably a bar of soap. Uehira is directed to a foam dispensing device. Appellants submit that one of skill in the art would not have a reasonable expectation of success that the liquid soaps produced by Gross would be capable of producing foam when used in the dispenser of Uehira. There is no disclosure in Gross that a liquid soap produced by the methods disclosed therein would be capable of being foamed. Further, Uehira states that foamable liquids for use with the dispenser disclosed therein have surfactants added to impart foam properties. There is nothing in Gross that teaches or suggests the use of surfactants to increase the foaming properties of the disclosed soaps. Accordingly, one of skill in the art would have no reasonable expectation of success in combining the soap of Gross with the dispenser of Uehira.

*iv. None of the rationales provided by the Supreme Court in KSR v. Teleflex are applicable to the presently claimed invention.*

Although the Final Rejection does not specifically rely on the *KSR* case, Appellants will point out why the Final Rejection should be reversed notwithstanding *KSR*. The Examination Guidelines for Determining Obviousness under 35 USC 103 published by the USPTO discuss several rationales for finding that an invention might be obvious. None of these rationales are applicable here.



For example, the Final Rejection has not shown that the Appellants are “combining prior art elements according to known methods to yield predictable results.” Appellants are not foaming a liquid that includes surfactants as disclosed by Uehira. Appellants soap product consists of a foam dispenser head and a liquid soap. The liquid soap of the present invention *consists of* an alkali salt of a fatty acid, and an optional ingredient. However, none of the claimed optional ingredients is a surfactant or an ingredient that will impart foaming properties upon the liquid soap when mixed with air. There is no teaching or suggestion in Uehira that a soap as is presently claimed can be foamed without the use of such a surfactant or ingredient. Further, there is no teaching in Gross that a liquid soap produced by the methods disclosed therein could be foamed at all, with or without the use of a foam enhancing ingredient. Thus, Appellants submit that the present invention is not just a combination of prior art elements which yields predictable results.

For similar reasons, the Final Rejection also has not shown that Appellants are making a “simple substitution of one known element for another to obtain predictable results,” “use of known technique to improve similar devices (methods, or products) in the same way,” “applying a known technique to a known device (method or product) ready for improvement to yield predictable results.” Neither Gross nor Uehira, alone or combined, teach or suggest that a liquid soap *consisting of* an alkali salt of a fatty acid, and an optional ingredient that does not include surfactants or foam enhancing agents, could be foamed through a foam dispenser. Uehira itself states that liquids capable of being used in the invention have surfactants added to them to “impart foaming properties.” *See* Uehira, col. 4, lines 50-55. Gross is silent as to what characteristics a liquid soap produced by the methods disclosed therein would have. Gross is also silent as to the addition of surfactants or foam enhancing agents. Thus, Appellants submit

that based on the teaching of the cited references, and the knowledge generally available to one of skill in the art, the soap product of the present invention provides the unexpected result of a liquid soap capable of being dispensed through a foam dispensing head without the use of surfactants or foam enhancing ingredients.

Likewise, the Final Rejection has not shown that the claimed product would be “obvious to try.” Neither Uehira or Gross suggests that a liquid soap not containing surfactants or foam enhancing agents could be foamed using the dispenser of Uehira, or a foam dispensing head generally. As Gross is primarily directed to solid soap products, it does not disclose whether a liquid soap produced by the disclosed methods would be capable of being foamed, with or without the use of a surfactant. Thus, Appellants submit that it would not have been obvious for one of skill in the art to try and produce a liquid soap product as is presently claimed based on the teachings of Gross and Uehira, or the knowledge generally available in the art.

Finally, Appellants submit that the Final Rejection has not shown that “known work in one field of endeavor may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces if the variations are predictable to one of ordinary skill in the art.” Appellants are not aware of any design incentives or other market forces to prompt one of skill in the art to vary the teachings of Gross and Uehira in a predictable manner to result in the claimed invention. Nor has the Final Rejection called out any such incentives or forces. To simply state that “[i]t would have been obvious...to combine the liquid soap product of Gross et al and the dispenser of Uehira et al to pump and foam said liquid soap...because the artisan of ordinary skill would have been motivated to include a mechanism to dispense said liquid soap ...to effectively deliver the product,” does not render the presently claimed invention obvious. Appellants submit that it would not have been predictable to one of

skill in the art that a liquid soap product not containing surfactants could be used with a non propellant foam dispenser based on the teachings of Uehira which specifically calls out the fact that surfactants are added to the foamable liquid. Nor is it predictable what form a liquid soap produced by the Gross methods would have, e.g., high viscosity, low viscosity. Nor is there any such teaching of methods to tailor the viscosity of such a liquid soap to fall within the claimed viscosity of the liquid soap of the present invention. For at least the foregoing reasons, Appellants submit that the present invention is not rendered obvious based on the teachings of Gross and Uehira, or the knowledge generally available to one of skill in the art.

**CONCLUSION**

Appellants' invention is directed to a soap product consisting of a non-propellant dispenser comprising a liquid retaining container and a foam dispenser head. Liquid soap is present in the container, and the liquid soap consists of an alkali salt of a C6 to C24 fatty acid, and an additional ingredient. The additional ingredient is selected from the group consisting of water, antioxidants, water softening agents, preservatives, solubilizers, color, fragrances, pH modifiers and mixtures thereof. The liquid soap has a viscosity less than 100cps.

Gross does not teach a liquid soap as is presently claimed. Uehira does not teach that a liquid soap as presently claimed can be dispensed through a foam dispensing head without the addition of surfactants to impart foaming properties.

Appellants accordingly request that the 35 U.S.C. §103(a) rejection be reversed.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 501257.

**43896**

PATENT TRADEMARK OFFICE

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**CLAIMS APPENDIX**

1. (Previously presented) A soap product consisting of:
  - (a) a non-propellant dispenser comprising a liquid retaining container and a foam dispenser head; and
  - (b) liquid soap present in the container, the foam dispenser head fluidly connected to the liquid soap and the liquid soap composition consisting of:
    - (1) an alkali salt of a C<sub>6</sub> to C<sub>24</sub> fatty acid; and
    - (2) optionally, an additional ingredient selected from the group consisting of water, antioxidants, water softening agents, preservatives, solubilizers, color, fragrances, pH modifiers and mixture thereof,wherein the liquid soap has a viscosity less than 100 cps.
2. (Canceled).
3. (Previously presented) The soap product according to claim 1, wherein the alkali salts are selected from the group consisting of sodium, potassium, magnesium, and mixtures thereof.
4. (Previously presented) The soap product according to claim 1, wherein the soap comprises a mixture of concentrated soap and water.
5. (Original) The soap product according to claim 4, wherein the mixture of concentrated soap and water comprises 1:1 to 1:10 concentrated soap:water.
6. (Original) The soap product according to claim 4, wherein the concentrated soap comprises at least 50 wt-% alkali salts.
7. (Original) The soap product according to claim 6, wherein the concentrated soap comprises at least 75 wt-% alkali salts.

8. (Original) The soap product according to claim 4, wherein the concentrated soap comprises at least 10 wt-% solids.
9. (Original) The soap product according to claim 8, wherein the concentrated soap comprises at least 20 wt-% solids.
10. (Canceled).
11. (Withdrawn) A method of dispensing a soap product, the method comprising:
  - (a) providing a concentrated soap;
  - (b) diluting the soap with water to form a diluted soap; and
  - (c) dispensing the diluted soap from a dispenser with air to create a foam.
12. (Withdrawn) The method according to claim 11, wherein the step of diluting the soap with water to form a diluted soap is done before the step of dispensing the diluted soap from a dispenser with air to create a foam.
13. (Withdrawn) The method according to claim 11, wherein the step of dispensing the diluted soap from a dispenser with air to create a foam comprises:
  - (a) mixing the soap with air in a foam dispenser head to create a foam; and
  - (b) dispensing the foam via the foam dispenser head.
14. (Withdrawn) A method of dispensing a soap product, the method comprising:
  - (a) providing a soap; and
  - (b) dispensing the soap from a dispenser with air to create a foam.
15. (Withdrawn) The method according to claim 14, wherein the step of dispensing the soap from a dispenser with air to create a foam comprises:
  - (a) mixing the soap with air in a foam dispenser head to create a foam; and
  - (b) dispensing the foam via the foam dispenser head.

**EVIDENCE APPENDIX**

1. U.S. 5,990,074 (Gross et al.)
2. U.S. 5,271,530 (Uchira et al.)

**RELATED PROCEEDINGS APPENDIX**

None.